

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL WORK SESSION MEETING
HELD ON WEDNESDAY, AUGUST 8, 2018 AT 5:30 P.M. IN THE CITY COUNCIL
CHAMBERS**

MAYOR: Tonita Gurulé-Girón

COUNCILORS: Barbara A. Casey
Vincent Howell
David A. Ulibarri, Jr.

ALSO PRESENT: Ann Marie Gallegos, Interim City Manager
Casandra Fresquez, City Clerk
David Silva, Acting City Attorney
Christopher Lopez, Interim Chief of Police

ABSENT: David G. Romero

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Howell asked for a moment of silence to keep in mind all the families losing their properties and homes in California and also the community members who have lost loved ones in the past few weeks.

APPROVAL OF AGENDA

Councilor Casey made a motion to approve the agenda as presented. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara Casey	Yes
David A. Ulibarri, Jr.	Yes	David G. Romero	Absent

City Clerk Fresquez re-read the motion and advised that the motion carried.

PUBLIC INPUT

Mr. Wilbert Ryan advised he was a retired New Mexico State Government Human Resource Manager. Mr. Ryan had questions that he hoped could be answered during the meeting or in the near future. Mr. Ryan asked if there would be a council meeting in the future to address the special audit findings and what has been done as a City to address those findings. Mr. Ryan advised that the City Attorney and the Chief of Police are extremely valuable and the City is in need of someone permanently in those positions so the City government can operate efficiently and is also in the best interest for the citizens of Las Vegas. Mr. Ryan advised he believes putting someone permanently in those positions will increase the stability of the City government as well as the communication between Councilors, Mayor and the City employees. Mr. Ryan advised he hopes in the future they will address those concerns.

Mayor Gurulé-Girón advised in regards to the appointees, after further review there is additional legal opinions which she received and will be addressing that in regards to the permanent positions for the City Attorney and Chief of Police which do have interim appointees at this point in time.

Mayor Gurulé-Girón advised, "the current appointee Chris Lopez is exceptionally qualified for the position and will be there until January so until then they are still okay, but that doesn't mean they are going to slack off and not handle that". Mayor Gurulé-Girón advised she did attempt to appoint, but the appointments were shut down.

Mayor Gurulé-Girón advised in regards to the audit those findings are posted on the State Auditor's website and they did do an extensive exit audit and during that exit audit the council was fully notified about everything.

Mayor Gurulé-Girón advised to go to the website if there were any other concerns.

Discussion Items

1. Out of State Travel to Sacramento, California for one (1) certified Police Officer to attend training.

Interim Police Chief Chris Lopez advised they are looking at a Drug Recognition Expert which the class is for and the class is a relatively hard program to finish and complete. Interim Police Chief Lopez advised in light of the drug problems in New Mexico and with the possibility of marijuana being legalized, it is crucial to prepare the department to identify if people are impaired with something else other than alcohol and the training will qualify officers to do that and to testify in court as an expert. Interim Police Chief Lopez advised the state statute allows a legal limit for alcohol which is .08 and when it comes to other drugs there aren't any types of limits, but officers can still show impairment with field sobriety tests.

Discussion took place regarding how many Drug Recognition Experts there are throughout the state.

Interim Police Chief Lopez advised there are three phases and the training is phase two and it is a fully expense paid class covered by the State of New Mexico on a reimbursement basis.

Councilor Casey asked if Officer Romero would fit into the scheme of things with the opiate initiative.

Interim Police Chief Lopez advised Drug Recognition Experts are able to conduct tests and are able to identify what those drugs are, which he would be able to identify those things if it came to legal matters. Interim Police Chief Lopez advised as far as the opiate initiative all officers will be involved.

Councilor Casey asked how many DRE's are on the police force.

Interim Police Chief Lopez advised they have none but the State has given them the opportunity to get officers geared up to become Drug Recognition Experts, however in the past the staffing has been difficult to do this, but with the staffing now there is flexibility and coverage for the City of Las Vegas.

Mayor Gurulé-Girón stated that is fantastic and Interim Police Chief Lopez is doing a great job and she will miss him. Mayor Gurulé-Girón advised having a Drug Recognition Expert is critical, and having been involved with the schools and not having a Drug Recognition Expert when doing a presumptive test they could not recognize the drug definitively and cases were thrown out. Mayor Gurulé-Girón advised it is important to have that to strengthen the case and prosecution.

The governing body agreed to place the item as a consent agenda item.

2. Resolution No. 18-29 requesting to apply for funding offered through New Mexico Department of Game and Fish to rehabilitate the Shooting Range through the Las Vegas Police Department.

Interim Police Chief Chris Lopez advised they have been working on making the range more accessible to the public and are getting ready to apply for funding through New Mexico Game and Fish.

Commander Eric Padilla advised the funding is a match grant through New Mexico Game and Fish Wildlife Restoration, so every dollar the City puts in, they will match them three dollars.

Commander Padilla advised the application is lengthy and requires a resolution amongst other things that have been met.

Discussion took place regarding Commander Padilla's plan to rehabilitate the range.

Councilor Howell advised it is a good idea for future economic development and can draw in a lot of organizations that can use the range.

Councilor Ulibarri, Jr. advised it is a good idea for hunters out there to go out and get ready for hunting.

Commander Padilla advised if anyone is asking, the range is open and they just need to call to the police department and he will open the range on an appointment basis.

Discussion took place regarding the use of the range and the upkeep of it.

Councilor Casey asked what was on the back side of the range.

Commander Padilla advised on the back side is a huge mountain, so there would be no ricochet.

Councilor Casey advised she has seen deer inside the range feeding and is concerned about people thinking its open shoot for deer.

Councilor Casey asked if there is anything they can do, like fence it or what can be done to prevent poaching or accidentally killing a deer.

Commander Padilla advised they can look into fencing off the back side and checking if that could be a part of the rehabilitation.

Councilor Casey commended both Interim Police Chief Lopez and Commander Padilla for applying for the money because they can do so many things with it such as shooting competitions and gun safety for the community.

Mayor Gurulé-Girón commended both Interim Police Chief Lopez and Commander Padilla and a tremendous hats off to them.

Mayor Gurulé-Girón advised the improvements to the range are ten fold at this point in time and she commends the entire staff for the improvements.

Interim City Manager Gallegos advised they put aside funding to match the funds.

Mayor Gurulé-Girón advised it is a great thing because there are a lot of people who would like to get involved.

The governing body agreed to place the item as a consent agenda item.

3. Pass through funding from the New Mexico Department of Information Technology E911 Grant Fund for the Las Vegas Police Department .

Interim Police Chief Chris Lopez advised it is grant funding they receive from DFA yearly and is passed through funding which covers their E911 and State Police District II E911 and also covers training cost, repair cost and upkeep cost for some equipment.

Councilor Howell asked if they would be paying interest on the money they are receiving from Information Technology.

Interim City Manager Gallegos advised it is a grant that goes through the DFA process and are required to report all the revenues and expenditures but it is just passed through funding with no money coming into the City of Las Vegas.

Councilor Howell asked if this was a loan.

Interim City Manager Gallegos advised no, it's a grant.

The governing body agreed to place the item as a consent agenda item.

4. Resolution No. 18-33 City of Las Vegas Meadow City Express' intent to apply for NMDOT Grant 5311.

Transportation Manager Victoria Benavidez advised the grant is done every year and they have been putting it together for the past two weeks.

Interim City Manager Gallegos advised the funding is for the year 2020.

Councilor Casey advised on the resolution on the third "whereas" says "Whereas, the City of Las Vegas matches the NMDOT Transit and Rail monies at a ration". Councilor Casey asked what that meant.

Interim City Manager Gallegos advised it should be "at a ratio".

The governing body agreed to place the item as a consent agenda item.

Councilor Casey asked if there would be other agenda items for next week's council meeting.

Interim City Manager Gallegos advised there are two items on the agenda, one is for the resolution for the Castaneda project and the second one is a public hearing on a amendment to official zoning change on 2023 8th street and may have a public hearing on the liquor license for El Fidel.

Councilor Casey asked about Mayor Gurulé-Girón stating she had been talking to attorneys.

Mayor Gurulé-Girón advised yes she got an opinion and she will be addressing the council about it in writing.

Mayor Gurulé-Girón advised they do not operate under state statute because that is a mayor and council form of government and that was one of the arguments she will be discussing in detail and will send it out in a memorandum.

Councilor Howell advised he wanted to address Mr. Ryan's comment. Councilor Howell stated they had a meeting going over the findings from the special audit with each auditor there explaining each point. Councilor Howell advised what they did not do and what they need to do is take a look at all of the recommendations that were made by the auditors because they have not had a comprehensive discussion on what they should do about the recommendations, whether they should implement any of them or not. Councilor Howell advised he would like to see and would like the community to know what they are going to do about the recommendations and still thinks they should have a meeting about that.

Mayor Gurulé-Girón advised Councilor Howell's statements were noted.

Councilor Ulibarri, Jr. advised they had the special audit and their recommendations and thinks the City Manager started working on those recommendations and is pretty sure they are being addressed.

Interim City Manager Gallegos advised they have taken the recommendations from the special audit for each division in Human Resource as well as in Finance and have instituted some changes to meet the needs of the audit findings.

Interim City Manager Gallegos also advised one other item that will help them as far as understanding the special audit is their regular auditors were on board for the 2018 audit and have been requested by the State auditor to see if they have implemented those changes and they will be looking into it closer to give council an update as to what is happening, what they have done and what things they still may need to work on.

Interim City Manager Gallegos advised the regular audit is on going and they will be back in late August or early September.

Councilor Howell advised the governing body as a whole needs to give input on the recommendations whether they should do it or not do it, and that they haven't had a comprehensive discussion specifically on the recommendations to whether or not have it in the plans to implement them or not.

Mayor Gurulé-Girón advised it is an administrative function, the recommendations that came from the special audit came from the audit in order for the administration to adopt improvement plans and to put together a corrective action plan and then as a council cannot under any circumstance get involved in an administrative function.

Mayor Gurulé-Girón also advised it is within each respective department to correct those deficiencies.

Interim City Manager Gallegos advised they have been working on them and some of the findings do direct Mayor and Council and does address the charter where they would have to change the charter and do updates to the charter and most of the recommendations do come back to Mayor and Council.

Mayor Gurulé-Girón advised in order to change the charter they need to hire an attorney and they cannot continue to pay an attorney the salary they are paying \$250 an hour, so that's what they are hoping for once they get an attorney on board to address those issues.

Discussion took place regarding the changes and updates to the charter and getting outside sources to do so and if there is funding for those sources.

Councilor Howell advised he respectfully disagrees with the points made and as a governing body they were elected to lead the community and they need to provide input specifically on those recommendations made by the auditors.

Councilor Howell also advised a lot of money was spent on the special audit and they need to provide input on those recommendations and they haven't had a comprehensive discussion on suggestions for those recommendations on what they need to do so they can provide the input that is needed by the whole governing body.

Discussion took place regarding changing and amending the charter to work on those recommended changes and regarding not having a comprehensive discussion.

Councilor Casey advised she would like to have a summary of what has been done to address the findings, what were the changes, how will they be implemented, and who is responsible for implementing them so she knows how those issues are being addressed.

Councilor Casey advised with the housing audit they were told how each finding was fixed, what they were working on, the resolutions that were passed and the language that was added to the contract or what needed to be changed, they knew those things but they don't know that about the special audit.

Mayor Gurulé-Girón stated Councilor Casey just wanted an updated summary, and advised that is fair.

Councilor Casey advised she would like to know what's going on so they can have some kind of input, so they can ask questions and find out so when people in the community ask.

Councilor Casey advised she's been asked to talk to several organizations about the special audit and they want to know how the findings are being fixed and sometimes she can't tell them because she doesn't know if they made changes in HR or what changes they did in Finance or what they are doing about procurement. Councilor Casey advised those are the things she needs to know as a Councilor so she can keep the community at large informed about what is going on and a lot of those people have read the special audit but they want to know how are these issues being addressed.

Mayor Gurulé-Girón asked if the corrective action on the responses have been implemented.

Interim City Manager Gallegos advised the special audit does have the recommendations and changes that were made by both Human Resource and procurement. Interim City Manager Gallegos advised every finding has a response

from either Human Resource or Finance and the recommendation by the auditor himself.

Interim City Manager Gallegos advised they can summarize all the findings if that makes it easier for everyone to look at.

Councilor Casey advised she would like to know how those responses are being implemented, how is it affecting the employees, and how is it affecting the efficiency of the City.

Councilor Howell advised his point is to have a discussion.

Mayor Gurulé-Girón advised they can work on providing a summary sheet.

Interim City Manager advised she would be glad to and they can do a summary for Mayor and Council.

Councilor Casey advised with Housing they addressed each finding, talked about it, it was explained to them and they voted on it and they had input. Councilor Casey advised for the special audit those responses were done without any input from them and were turned in to the state auditor's office and had to read them after it was completed.

Mayor Gurulé-Girón asked how Councilor Casey had input on the special audit for Housing.

Councilor Casey advised when they met.

Mayor Gurulé-Girón advised they didn't have input just a discussion when they met.

Councilor Casey advised a discussion is input for them, they discussed things and asked questions and they didn't have an opportunity to do that with the special audit. Councilor Casey advised staff were the ones who responded but they didn't have any discussion on it at all and had to read it after the fact.

Interim City Manager Gallegos advised they would be glad to prepare a summary and Human Resource has been preparing their summary of changes and what has developed.

Councilor Casey advised it would be perfect if they could have it done during a meeting instead of being given a sheet of paper.

Councilor Howell advised having a summary on a piece of paper would not be sufficient enough and that they need to have a discussion on those findings.

Mayor Gurulé-Girón advised Councilor Casey made that point.

Councilor Howell advised so is he.

EXECUTIVE SESSION

There was no need for executive session.

ADJOURN

Councilor Casey made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion.

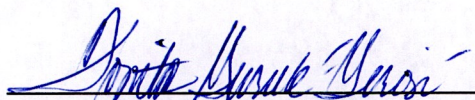
Mayor Gurulé-Girón adjourned the meeting.

Councilor Casey called for a point of order.

Mayor Gurulé-Girón advised there was no need for roll call and there are other ways of adjourning without an actual motion seconded and she has researched that as well and will give her that information.

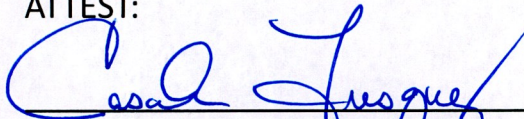
Councilor Casey requested that be provided as she did not agree with that procedure.

Mayor Gurulé-Girón stated she knows what the procedures are.



Mayor Tonita Gurulé-Girón

ATTEST:



Casandra Fresquez, City Clerk